



**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
SAN FRANCISCO SESSION
TUESDAY, MARCH 1, 2016**

FIRST AMENDED

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald M. George State Office Complex, Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on March 1, 2016.

TUESDAY, MARCH 1, 2016—9:00 A.M.

- (1) Webb (William B.) et al. v. Special Electric Company, Inc., S209927
- (2) Winn (Kathleen A.) et al. v. Pioneer Medical Group, Inc., et al., S211793
- (3) People v. Franklin (Tyris Lamar), S217699

1:30 P.M.

- (4) People v. Becerra (Frank Kalil) [Automatic Appeal], S065573
(To be called and continued to the April 2016 calendar.)
- (5) People v. Robinson (Lee Hoang), S220247
- (6) People v. Salazar (Magdaleno) [Automatic Appeal], S077524

CANTIL-SAKAUYE
Chief Justice

If exhibits are to be transmitted to this court, counsel must apply to the court for permission. (See Cal. Rules of Court, rule 8.224(c).)

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The following case summaries are issued to inform the public about cases that the California Supreme Court has scheduled for oral argument and of their general subject matter. In most instances, the descriptions set out below are reproduced from the original news release issued when review in each of these matters was granted and are provided for the convenience of the public. The descriptions do not necessarily reflect the view of the court or define the specific issues that will be addressed by the court.

TUESDAY, MARCH 1, 2016—9:00 A.M.

(1) *Webb (William B.) et al. v. Special Electric Company, Inc., S209927*

#13-48 Webb (William B.) et al. v. Special Electric Company, Inc., S209927.

(B233189; 214 Cal.App.4th 595; Superior Court of Los Angeles County; BC436063.)

Petition for review after the Court of Appeal reversed the judgment in a civil action. This case presents the following issues: (1) Should a defendant that supplied raw asbestos to a manufacturer of products be found liable to the plaintiffs on a failure to warn theory?

(2) Was the trial court's decision to treat defendant's pre-trial motions for nonsuit and for a directed verdict as a post-trial motion for judgment notwithstanding the verdict procedurally improper, and if so, was it sufficiently prejudicial to warrant reversal?

(2) *Winn (Kathleen A.) et al. v. Pioneer Medical Group, Inc., et al., S211793*

#13-72 Winn (Kathleen A.) et al. v. Pioneer Medical Group, Inc., et al., S211793.

(B237712; 216 Cal.App.4th 875; Superior Court of Los Angeles County; BC455808.)

Petition for review after the Court of Appeal reversed the judgment in a civil action. This case presents the following issue: Does "neglect" within the meaning of the Elder Abuse and Dependent Adult Civil Protection Act (Welf. & Inst. Code, § 15657) include a health care provider's failure to refer an elder patient to a specialist if the care took place on an outpatient basis, or must an action for neglect under the Act allege that the defendant health care provider had a custodial relationship with the elder patient?

(3) ***People v. Franklin (Tyris Lamar), S217699***

People v. Franklin (Tyris Lamar), S217699. (A135607; 224 Cal.App.4th 296; Superior Court of Contra Costa County; 51103019.) Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of a criminal offense. This case presents the following issues: (1) Did defendant's sentence of 50 years to life for a homicide committed when he was a juvenile violate the Eighth Amendment? (2) Was the first issue rendered moot by the enactment of Penal Code section 3051?

1:30 P.M.

(4) ***People v. Becerra (Frank Kalil), S065573*** [Automatic Appeal] (*To be called and continued to the April 2016 calendar.*)

This matter is an automatic appeal from a judgment of death.

(5) ***People v. Robinson, S220247***

#14-112 People v. Robinson, S220247. (G048155; 227 Cal.App.4th 387; Superior Court of Orange County; 11WF0857.) Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of criminal offenses. The court limited review to the following issue: Is misdemeanor sexual battery (Pen. Code, § 243.4, subd. (e)(1)) a lesser included offense of sexual battery by fraudulent representation (Pen. Code, § 243.4, subd. (c))?

(6) ***People v. Salazar (Magdaleno), S077524*** [Automatic Appeal]

This matter is an automatic appeal from a judgment of death.

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